



Wyatt
36657-041904

***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 19, 2004
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call. (All Council Members were present.)

The Invocation was delivered by Elizabeth Hutcheson Fetter, Presiding Clerk, the Religious Society of Friends.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, April 22, 2004, at 7:00 p.m., and Saturday, April 24, 2004, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Presentations by The Center for Digital Government. Susan Benton, Director, Strategic Initiatives.

File #3-175-301

Proclamation declaring April 18 – 24, 2004 as National Medical Laboratory Week.

File #3

Proclamation declaring April 18 – 24, 2004 as National Library Week.

File #3–323

3. CONSENT AGENDA

Approved (7–0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, March 1, 2004, recessed until Friday, March 5, 2004, recessed until Monday, March 15, 2004; and the regular meeting held on Monday, March 15, 2004.

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

- C-2 A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2–3711 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.
Approved (7–0)
File #132**

- C-3 Qualification of Nancy F. Canova as a member of the Fair Housing Board for a term ending March 31, 2007.

**RECOMMENDED ACTION: Receive and file.
File #110–178**

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from Council Member Alfred T. Dowe, Jr., the City's representative to the Roanoke Valley Regional Cable Television Committee, transmitting the RVTV fiscal year 2005 budget.

Adopted Resolution No. 36657-041904. (7-0)
File #60-448

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

Electronic Voting Machines	-	15 minutes
Fiscal Year 2005 Proposed Budget	-	20 minutes

File #40-60

The City Manager introduced Carl S. Cooler, Building Commissioner, with the Department of Planning, Building and Development, effective April 19, 2004.

ITEMS RECOMMENDED FOR ACTION:

1. Approval of Roanoke Neighborhood Advocates By-Laws and Strategic Business Plan.

Adopted Resolution No. 36658-041904. (7-0)
File #488

2. Transfer and/or appropriation of funds in connection with the Mill Mountain Water Project.

Adopted Budget Ordinance No. 36659-041904. (7-0)
File #67-468

3. Transfer and/or appropriation of funds in connection with Grandin Road Streetscapes.

Adopted Budget Ordinance No. 36660-041904. (7-0)
File #514-554

4. Adoption of resolutions documenting the City's support of an intersection improvement at Riverland Road, Bennington Street, and Mt. Pleasant Boulevard; traffic signal systems equipment upgrades; and inclusion of recently received safety grant funds for enhancements to the proposed Lick Run Greenway crossing at 10th Street, as required by the Virginia Department of Transportation for inclusion in the State's Six-Year Improvement Program.

Adopted Resolution Nos. 36661-041904,
36662-041904 and 36663-041904. (7-0)
File #20-77-379

5. Appropriation of \$17,989.00 in connection with Outreach Detention/Electronic Monitoring program activities.

Adopted Budget Ordinance No. 36664-041904. (7-0)
File #5-76-304

6. Acceptance of Virginia Department of Social Services funds, in the amount of \$42,500.00, for the Opportunity Knocks Program.

Adopted Budget Ordinance No. 36665-041904 and
Resolution No. 36666-041904. (7-0)
File #72

7. Acceptance of an antique 1941 American LaFrance fire truck from the Fire Brigade of the Kazim Shriners.

Adopted Resolution No. 36667-041904. (7-0)
File #68-70

b. CITY ATTORNEY:

1. Amendment of the City Code to eliminate the residency requirement pertaining to one member of the Board of Trustees, City of Roanoke Pension Plan.

Adopted Ordinance No. 36668-041904. (7-0)
File #24-110-429

2. Adoption of a measure supporting an application filed by Mr. Will Webb with the Virginia Department of Transportation to plant white oak seedlings along certain sections of I-581 within the City of Roanoke.

Adopted Resolution No. 36669-041904. (7-0)
File #77-240

3. Acceptance of a parcel of land located on the northeasterly side of Williamson Road adjacent to Oakland Intermediate School for school purposes.

Adopted Ordinance No. 36670-041904. (7-0)
File #68-467

7. REPORTS OF COMMITTEES:

- a. Annual Report of the Architectural Review Board. Robert N. Richert, Chair.

Received and filed.
File #249

- b. Request of the Roanoke City School Board for appropriation and transfer of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Richard L. Kelley, Assistant Superintendent of Operations, Spokesperson.

Adopted Budget Ordinance No. 36671-041904. (7-0)
File #60-467

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS.

- a. A Resolution scheduling a special meeting of Council on Thursday, April 29, 2004, at 7:00 p.m., in the City Council Chamber, for the purpose of holding a public hearing on the proposed fiscal year 2005 budget.

Adopted Resolution No. 36672-041904. (7-0)
File #60-132

- b. A Resolution scheduling a special meeting of Council on Thursday, May 13, 2004, at 2:00 p.m., in the City Council Chamber, for the purpose of adopting the City of Roanoke's fiscal year 2005 budget; and appointment of two Trustees to the Roanoke City School Board.

Adopted Resolution No. 36673-041904. (7-0)
File #60-110-467

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Cutler commended the Roanoke City Police Department – Citizens Police Academy, which was named 2004 Agency of the Year by the National Citizens Police Academy Association at the 7th Annual NCPAA Convention in Austin, Texas.
File #5-80

Council Member Bestpitch advised that April is Child Abuse Prevention Month and commended the Children's Advocacy Center of the Roanoke Valley for their work in regard to child abuse prevention.
File #80-304

The Mayor announced that Council will entertain comments by citizens at the 7:00 p.m. Council meeting in regard to applicants for the position of Roanoke City School Trustee.

Applicants are: Dennis Binns, Chris Craft, Robert Craig, David Dabay, John Elliott, Roddy Hiduskey, Glenda Lee, Alvin Nash, Courtney Penn, Samuel Robinson and Linda Wright.

File #467

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

The City Manager commended City employees who participated in Citizens Appreciation Day on Saturday, April 17, 2004, at Valley View Mall. She advised that Saturday, April 17, was also Youth Services Day and commended the hundreds of young people who volunteered their Saturday to give service to others in the Roanoke community. She also advised that a service in memory of Ms. Greta Evans was held on Saturday, April 17, which offered the opportunity to celebrate the life and contributions of Ms. Evans to the Roanoke community.

File #80-184-304-367

CERTIFICATION OF CLOSED SESSION. (7-0)

The following persons were appointed to City boards and commissions:

**Randy L. Leftwich
File #15-110-207**

**Human Services Committee,
to fill the unexpired term of
Cynthia S. Bryant, resigned,
ending June 30, 2004.**

**Michael W. Hanks
File #110-429**

**Board of Trustees, City of
Roanoke Pension Plan to
fill the unexpired term of
D. Duane Dixon, resigned,
ending June 30, 2004.
(Waived City residency
requirement.)**

**Nominated the following persons to serve on VML Policy
Committees:**

**Council Member Fitzpatrick – Transportation
Council Member Cutler – Environmental Quality
Council Member Dowe – Human Development and Education
Jesse A. Hall – Finance
William M. Hackworth – General Laws
File #17**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL 7:00 P.M., IN THE
CITY COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 19, 2004
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call. (All Council Members were present.)

The Invocation was delivered by Mayor Ralph K. Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

Welcome. Mayor Smith.

NOTICE:

The Council meeting will be televised live by RVTV Channel 3 to be replayed on Thursday, April 22, 2004, at 7:00 p.m., and Saturday, April 24, 2004, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

PRESENTATIONS AND ACKNOWLEDGEMENTS: NONE.

A. PUBLIC HEARINGS:

- 1.(a) Citizen input regarding appointment of two Trustees to the Roanoke City School Board for three year terms of office, commencing July 1, 2004 and ending June 30, 2007.
- (b) Selection of persons to receive the formal interview on Thursday, April 22, 2004, commencing at 4:30 p.m., in the Council Chamber. As of 5:00 p.m., on Thursday, April 15, 2004, applications were submitted by the following persons:

Dennis M. Binns
Chris H. Craft
Robert R. Craig
David M. Dabay
John W. Elliott, Jr.
Roddy L. Hiduskey
Glenda D. Lee
Alvin L. Nash
Samuel Robinson
Linda F. Wright
Linda F. Wyatt (Withdrawn)

The deadline for receipt of applications was Monday, April 19, 2004, at 12:00 p.m.

Council adopted a motion to convene in Closed Session to discuss two vacancies on the Roanoke City School Board, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. (Council Member Wyatt abstained from voting.)

File #110-132-467

2. Request of Echo Sentinel Group, LLC, to repeal conditions approved pursuant to Ordinance No. 35070-100200 and to replace such conditions with new proffered conditions, with regard to property located at 3509 Peters Creek Road, N. W., identified as Official Tax No. 6421133. Joseph Lohkamp, Co-Owner, Spokesperson.

Adopted Ordinance No. 36674-041904. (7-0)
File #51

3. Extension of an existing lease with the United States Federal Government, General Services Administration, of a portion of City-owned property known as the Commonwealth Building, located at 210 Church Avenue, S. W., for office space through October 31, 2004. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 36675-041904. (7-0)
File #166-373-524

4. Proposed conveyance of portions of City-owned property located at the intersection of Yellow Mountain Road and Jefferson Street, S. E., Official Tax No. 4060502, to Carilion Medical Center for expansion purposes. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 36676-041904. (7-0)
File #68-166-221

5. Proposed conveyance of a ten-foot by ten-foot easement across City-owned property located in Jackson Park, S. E., Official Tax No. 4130501, to Roanoke Gas Company for relocation of an eight-foot high relief valve from the northern side of Morningside Street. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 36677-041904. (7-0)
File #28-166-458

6. Proposed conveyance of a perpetual five foot wide by 130 foot long easement across City-owned property located at Franklin Road, S. E., Official Tax No. 4016004, to Cox Communications, Inc., to provide telecommunications service to the building located at 111 Franklin Road, S. E. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 36678-041904. (7-0)
File #28-166-448**

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Robert Gravely, 729 Loudon Avenue, N. W., expressed concern with regard to legal issues, growth of the City of Roanoke based on the work of its citizens, the need for more jobs leading to a reduction in crime, respect for the work of people, compassion for people which will cause more persons to want to live in the Roanoke area, an improved relationship with the City's workforce, and the need for a program that will empower employees to do their jobs in a better way.

File #5-66

The meeting was declared in recess for one Closed Session.

Certification of Closed Session (6-0 – Council Member Wyatt was absent.)

Council voted to interview the following persons for the position of Roanoke City School Trustee on Thursday, April 22, 2004, beginning at 4:30 p.m., in the Council Chamber: Alvin L. Nash, Courtney A. Penn and Linda F. Wright.

File #467

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL THURSDAY, APRIL 22, 2004, AT 4:30 P.M., IN THE CITY COUNCIL CHAMBER, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR ROANOKE CITY SCHOOL BOARD INTERVIEWS.

Adopting Resolution No. 36679-042204 changing the time of commencement of the regular meeting of City Council scheduled to be held at 9:00 a.m., on Monday, May 3, 2004.

SCHOOL BOARD INTERVIEWS WILL BE BROADCAST ON RVTV CHANNEL 3 ON MONDAY, APRIL 26, 2004, AT 11:00 A.M., AND TUESDAY, MAY 4, 2004, AT 8:00 P.M.